

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. S1-4:17-cr-00100 NAB
)	
HENRY R. RYCHLIK, JR.,)	
WILBUR-ELLIS COMPANY,)	
COLLIN McATEE, and)	
DIVERSIFIED INGREDIENTS, INC.,)	
)	
Defendants.)	

GOVERNMENT'S RESPONSE TO "OBJECTION TO ENTRY OF APPEARANCE"
FILED BY DEFENDANT DIVERSIFIED INGREDIENTS, INC.

COMES NOW United States of America (hereinafter "United States" or "Government"), represented by Jefferson Sessions, Attorney General for the United States, Thomas Larson, Acting United States Attorney for the Western District of Missouri, Charles S. Birmingham and Gilbert C. Sison, Special Attorneys to the United States Attorney General in response to Defendant Diversified Ingredients, Inc.'s "Objection To Entry of Appearance" (Doc. # 65) and submits the following:

1. On or about November 14, 2017, Assistant United States Attorney Charles S.

Birmingham was appointed Special Attorney to the United States Attorney General pursuant to 28 U.S.C. § 515. (Attachment 1)

2. On or about November 15, 2017, Assistant United States Attorney Gilbert C. Sison was appointed Special Attorney to the United States Attorney General pursuant to 28 U.S.C. § 515. (Attachment 2)
3. Any attorney specially appointed by the Attorney General under law, may, when specifically directed by the Attorney General, conduct any kind of legal proceeding which United States attorneys are authorized by law to conduct. 28 U.S.C. § 515
4. On or about December 1, 2017, in accordance with said appointments, the United States filed “Government’s Entry of Appearance” as to Special Attorney to the United States Attorney General Charles S. Birmingham and Special Attorney to the United States Attorney General Gilbert C. Sison. (Doc. # 62)
5. Accordingly, Defendant’s objection to the entry of appearance of lawfully appointed Special Attorneys to the United States Attorney General is without merit.
6. The specific terms and conditions of the appointments are set forth in appointment letters previously submitted to the United States District Court for the Eastern District of Missouri. (Attachment 1 and 2)
7. The Government respectfully submits that the terms and condition of both appointments sufficiently address Defendant Diversified Ingredients Inc.’s additional assertions and arguments and render their claims for additional relief groundless.

WHEREFORE, the Government respectfully requests that this Court deny Defendant's "Objection to Entry of Appearance" (Doc. # 65) and deny the Defendant's additional request to disqualify lawfully appointed Special Attorneys to the United States Attorney General from the above styled case.

Respectfully submitted,

JEFFERSON SESSIONS
United States Attorney General
THOMAS LARSON
Acting United States Attorney
WESTERN DISTRICT OF MISSOURI

/s/ Charles S. Birmingham
CHARLES S. BIRMINGHAM, #47134MO
Special Attorney to the United States Attorney General

/s/ Gilbert C. Sison
GILBERT C. SISON, #52346MO
Special Attorney to the United States Attorney General

CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2017, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all counsel of record.

/s/ Charles S. Birmingham

CHARLES S. BIRMINGHAM, #47134MO

Special Attorney to the United States Attorney General

/s/ Gilbert C. Sison

GILBERT C. SISON, #52346MO

Special Attorney to the United States Attorney General